

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendment and the discussion below.

Applicants invention has been discussed in the amendment and Responses filed December 6, 2003 and July 28, 2003 which are incorporated herein by reference with the following additional comments being made in light of the newly added independent claim 22.

Claim 22 recites a method for producing a surface layer on a carrier element having intermetallic phases wherein metal particles and ceramic particles are applied to a surface of the carrier element by either a plasma spray method, an electric arc wire spraying method or a cold gas compacting method. During the application of the metal particles and ceramic particles, energy is introduced to provide a reaction which takes place between the metal particles and the ceramic particles forming intermetallic phases resulting in the production of the surface layer.

Previous rejections of claims 1-8 and 17 as anticipated by Claussen et al. U.S. Patent No. 6,025,065 have been discussed in the November 6, 2003 Response. As argued therein, Claussen et al. concerns the formation of a ceramic body in which a green body is sintered with the resulting composites body being predominantly intermetallic compounds. The process which produces such bodies involves first the formation of powder-metallurgically formed green bodies and then the sintering in a non-oxidizing atmosphere so that the green body consist

of a mixture of a fine powder aluminum and one or more ceramic substances. Subsequently during sintering, the aluminum reacts with the oxide to form the desired aluminide. The green body does not constitute a "layer" and there is no showing of a carrier element as required by the claims. In light of previous rejection, the above recited independent claim 22 addresses the detailed steps which clarify the distinctions argued previously.

Applicants therefore submit that the reference to Claussen et al. does not accomplish the application of a layer to a carrier element and particularly not the application of metal particles and ceramic particles by one of the recited methods whereby energy is introduced during this application to provide a reaction between the particles to form the intermetallic phases resulting in the production of the surface layer.

Dependent claims 23-25 and 9-12 depend from and contain all of the limitations of independent claim 1 and therefore are also submitted as being allowable.


Therefore, Applicants respectfully request that this application containing claims 9-12 and 22-25 be allowed and be passed to issue.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.50216US).

Respectfully submitted,

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